

CONFIDENTIAL

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RHF

OGC HAS REVIEWED.

131260

13 DEC 1960

MEMORANDUM FOR: Special Assistant to the DD/S

SUBJECT:

Per diem Allowances W/OATT

You have requested clarification of our opinion of 9 November 1960 in which we stated that, for per diem allowance purposes, a night's lodging is considered occupancy only with respect to the day it commenced. In our opinion, this necessarily means that an individual who departed from a military facility in the middle of a day cannot be considered as having received lodging at that facility (either with or without charge) on that day. Therefore, paragraph 5(b) of Regulation [] which relates to per diem at Government facilities where the traveler is furnished meals and lodgings, is not for application with respect to any day on which the traveler departed without having been provided lodging. Under such circumstances, per diem for the day should be computed in the normal manner.

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Office of General Counsel

Attachment

OGC 9 Nov 60 Opinion

cc: DD/I (Admin.)

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